

internal ribosome entry site (IRES).

16. (Amended) The isolated pestivirus mutant of claim a, wherein said growth-restricted phenotype is characterised by a small plaque size phenotype.

17. (Amended) The isolated pestivirus mutant of claim 15, wherein the mutant comprises more than one mutation in the stem loops 1a and/or 1b.

18. (Amended) The isolated pestivirus mutant of claim 15, wherein the one or more mutations is a deletion of one or more nucleotides.

19. (Amended) The isolated pestivirus mutant of claim 15, wherein the one or more mutations is a deletion of stem loop 1a.

20. (Amended) The isolated pestivirus mutant of claim 18, wherein the one or more mutations is a deletion of stem loop 1a and a deletion in stem loop 1b.

21. (Amended) The isolated pestivirus mutant of claim 18, wherein the mutation is a deletion of stem loops 1a and 1b, and wherein the nucleotide sequence after said deletion at the 5' end of the genome is GUAUUAU or GUAUCCU.

22. (Amended) The isolated pestivirus mutant of claim 18, wherein the loop portion of stem loop 1b contains five adenosine (A) residues.

23. (Amended) The isolated pestivirus mutant of claim 15, wherein the pestivirus is bovine viral diarrhea virus (BVDV).

24. (Amended) The isolated pestivirus mutant of claim 23, wherein the pestivirus is BVDV-1 or BVDV-2.

35. (Amended) A vaccine, comprising:

an immunogenically active isolated pestivirus mutant of claim 15 and

a pharmaceutically acceptable carrier or diluent.

40. (Amended) A vaccine, comprising:

an immunogenically effective dosage of the isolated pestivirus mutant of claim 15, and

a pharmaceutically acceptable carrier and diluent.

#### **REMARKS**

The pending claims of the instant application are 15-47. The Examiner has withdrawn claims 25-34 from consideration as being drawn non-elected inventions. The Examiner has examined claims 15-24 and 35-47. Applicants acknowledge that the restriction requirement has been made final.